

**DIRECTOR'S MEETING
MONDAY, AUGUST 18, 2003 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

- *1. NEWS RELEASE - RE: Sunken Gardens Campaign Reaches \$1 Million Mark. (See Release)
- *2. NEWS RELEASE - RE: Mayor Promotes Breast-Feeding Initiatives. (See Release)

II. CITY CLERK

- 1. Letter from Andy S. Pollock, Executive Director, Nebraska Public Service Commission brought into Council Office by City Clerk Joan Ross - RE: Docket No. 911-02 In the Matter of the Commission, on its own motion, to determine the surcharge for the Enhanced Wireless 911 Fund. (See Letter)

III. CORRESPONDENCE

A. COUNCIL REQUESTS

ANNETTE McROY

- 1. OUTSTANDING Request to Public Works & Utilities Department/ **Urban Development Department/ Police (Center Team)/ Health Department/ LES** – RE: The alley behind the houses east of 27th Street between Potter & Fair Street is never maintained by the City (RFI#132 - 4/08/03). — **1.) SEE RESPONSE FROM DAVE SPOMER, LES, STREET LIGHTING ENGINEERING RECEIVED ON RFI#132 - 4/14/03 — 2.) SEE RESPONSE FROM W. L. NASS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#132 - 4/15/03 — 3.) SEE RESPONSE FROM DENNIS BARTELS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#132 - 4/16/03 — 4.) SEE RESPONSE FROM CHAR ESTES, LPD-PRT TEAM RECEIVED ON RFI#132 - 4/25/03**

JONATHAN COOK

- 1. OUTSTANDING Request to **Public Works & Utilities Department** - RE: Irvingdale Park - City Storm Sewer Ditch/Canal is not maintained at all (RFI#94 - 7/14/03)

2. OUTSTANDING Request to **Building & Safety Department** - RE: Please check out the house at 1644 Washington - front porch filled with stuff (RFI#95 - 7/14/03)
3. Request to PRT/Ann Harrell, Mayor's Office - RE: Gathering Place (RFI#97 - 7/30/03). — **1.) SEE RESPONSE FROM SW TEAM CAPTAIN WILHELM, LPD RECEIVED ON RFI#97 - 8/05/03**
4. ~~OUTSTANDING~~ Request to Public Works & Utilities Department - RE: State Department of Roads proposal to close Old Cheney between Warwick & Hwy 77 (RFI#99 - 7/30/03). — **1.) SEE RESPONSE FROM RANDY HOSKINS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#99 - 8/13/03**
5. OUTSTANDING Request to **Health Department** - RE: A large amount of garbage on the sidewalk near the house on the corner of Smith & Harrison (RFI#100 - 8/01/03)

TERRY WERNER

1. OUTSTANDING Request to **Dana Roper, Law Department** - RE: Automated External Defibrillators (AED) and Liability (RFI#96 - 7/29/03)

PATTE NEWMAN

1. Request to Assessor/Register of Deeds - RE: Sidewalk Permit & Needs to find out who owns the courtyard between 6212 and 6220 Havelock (RFI#13 - 8/04/03). — **1.) SEE RESPONSE FROM HALLIE SALEM, URBAN DEVELOPMENT DEPARTMENT RECEIVED ON RFI#13 - 8/08/03**
- *2. Response from Scott Opfer, Public Works & Utilities Department - RE: The half block long median at Larson Blvd. for RFI#10 received on 8/05/03 .
(See Response)
3. Request to Roger Figard, Allan Abbott, Public Works & Utilities Department/Chuck Zimmerman, Mike Merwick, Building & Safety Department/Kent Morgan, Marvin Krout, Planning Department - RE: Monday's extensive pre-council, public hearing and lengthy negotiations between PW and residents on Pine Lake Road, Old Cheney and 84th Street for acquisition of sufficient ROW to meet new city standards - (RFI#14 - 8/11/03)

4. Request to Police Department - RE: To get a list of crash data from the past 5 or 6 years in the City of Lincoln for: (RFI#15 - 8/11/03).— **1.) RESPONSE FROM ED RAGATZ, LPD, RECORDS MANAGER RECEIVED ON RFI#15 - 8/14/03 (RESPONSE ON FILE IN THE CITY COUNCIL OFFICE)**
5. Request to Mike Merwick, Building & Safety Department - RE: Another “missing owners” story (RFI#16 - 8/11/03)

KEN SVOBODA

- *1. Memo from Ken Svoboda to Steve Hubka - RE: City Council Discretionary Fund. (See Memo)
2. Letter from Ken Svoboda to Council - RE: The discretionary funds. (See Letter)

GLENN FRIENDT

1. Request to Allan Abbott, Public Works Director/Jerry Obrist, Water Works Engineer - RE: Drinking water quality (RFI#24 - 8/11/03)

B. DIRECTORS AND DEPARTMENT HEADS

FINANCE

1. City of Lincoln - EMS Cash Receipts/Expenditure Data - FY 2002-03.

FINANCE DEPARTMENT/CITY TREASURER

- *1. Material from Don Herz, Finance Director & Joel L. Wittrock, Assistant City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased July 28, 2003 thru August 1, 2003.

HEALTH DEPARTMENT

- *1. NEWS RELEASE - RE: What's In Your Garage? Household Hazardous Waste Collections Scheduled For August 15 and 16. (See Release)

PLANNING DEPARTMENT

- *1. Memo from Marvin Krout - RE: Change of Zone No. 3415 (03-125); Miscellaneous No. 03005 (03-126); Miscellaneous No. 03008 (03-127); Miscellaneous No. 03007 (03R-215). (See Memo)
- 2. Letter from Stephen Henrichsen to Jerry Boyce - RE: On Site Stormwater Improvement and Impact Fees. (See Letter)

PLANNING COMMISSION FINAL ACTION

- 1. Special Permit No. 2012 - (Wireless facility - South 77th Street & Highway 2) Resolution No. PC-00822.
- 2. Special Permit No. 2023 (Soil excavation - So. 134th Street and Pine Lake Road) Resolution No. PC-00823.

PUBLIC WORKS & UTILITIES DEPARTMENT

- *1. Public Works & Utilities ADVISORY - RE: Curb Ramp and Sidewalk Repair Advisory. (See Advisory)
- *2. Public Works & Utilities ADVISORY - RE: Water Main Replacement Project. (See Advisory)
- *3. Memo from Ken Smith - RE: Parking Facilities Operating Hours. (See Memo)
- 4. Public Works & Utilities ADVISORY - RE: Water Main Replacement - South Street; 48th -56th Street. (See Advisory)

REAL ESTATE DIVISION

- *1. InterOffice Memo from Clinton W. Thomas - RE: Vacation of SW 32nd Street. (See Memo)

WEED CONTROL AUTHORITY

- 1. Combined Weed Program - City of Lincoln - July 2003 Monthly Report.

C. MISCELLANEOUS

- *1. E-Mail from Ross Wunderlich, Wunderlich Consulting - RE: Pioneers Blvd. Design (Council & City Clerk's Office received this E-Mail at the Director's Meeting on 8/04/03)(Copy of this E-Mail is on file in the City Council Office)
- *2. Two E-Mail's from Dean & Jo Ann Auman and David D. Auman - RE: Opposed to the proposed 5 cent a gallon gas tax. (Council & City Clerk's Office received this E-Mail at the Director's Meeting on 8/04/03)(Copy of this E-Mail is on file in the City Council Office)
- *3. E-Mail from Kathryn Wells - RE: SE Upper Salt Creek Watershed Plan-proposed Comp. Plan Amendment - (Council & City Clerk's Office received this E-Mail at the Director's Meeting on 8/04/03)(Copy of this E-Mail is on file in the City Council Office)
- *4. Three E-Mail's from Mason Bowes; Sara Dorn; & Diana Simet - RE: In Support-Special Permit #2028 - Jax at 48th & Van Dorn (Council & City Clerk's Office received this E-Mail at the Director's Meeting on 8/04/03)(Copy of this E-Mail is on file in the City Council Office)
- *5. E-Mail from John Worster - RE: 2003-2004 Budget - (Council & City Clerk's Office received this E-Mail at the Director's Meeting on 8/04/03)(Copy of this E-Mail is on file in the City Council Office)
- *6. E-Mail from Susan Larson Rodenburg, Lincoln Parks & Recreation Foundation - RE: Sunken Gardens Reaches \$1 Million Mark! (See E-Mail) (This is the same as the News Release under "I. Mayor #1") (See E-Mail)
- *7. E-Mail from Jacklin M. Goldsmith - RE: Jax at 48th & Van Dorn - Special Permit #2028. (See E-Mail)
- *8. Letter with 26 signatures from Residents of Union Manor Apartments - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *9. Letter from Larry & Cheryl Crawford - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *10. Letter from Esther L. Ostrander - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)

- *11. Letter from Carol Snyder - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *12. Letter from Andy & Jennifer Graham - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *13. Letter from Ramona Maske - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *14. Letter from Neal & Lois Thomas - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *15. E-Mail from Katherine A. Kerner - RE: Proposed City Budget. (See E-Mail)
- *16. E-Mail - RE: In Support of Jax Shack (See E-Mail)
- *17. E-Mail from Sandy Anderson - RE: Upper Salt Creek Watershed Plan. (See E-Mail)
- *18. Faxed Letter from Richard Safarik - RE: Rezoning for Jax Saloon at shopping center at 48th & Van Dorn. (See Letter)
- *19. E-Mail from Derek Effle - RE: In Support of Jax at 48th & Van Dorn. (See E-Mail)
- *20. E-Mail from Gil & LuAnne Goldsmith - RE: In Support of Jax - Special Permit No. #2028 at 48th & Van Dorn. (See E-Mail)
- *21. E-Mail from Tony Dworak - RE: Opposed to the proposed 5 cent/gallon tax on gasoline sold within the city limits. (See E-Mail)
- *22. Faxed Letter from James A. Thomas - RE: In Support of Jax liquor store at 48th & Van Dorn. (See Letter)
- *23. Faxed Memo from Lori Seibel, Community Health Endowment - RE: Proposed Reductions in the City Budget. (See Memo)
- *24. Letter from Evert & Virginia Olson - RE: Has a concern regarding our emergency services and also fire department responses. (See Letter)

- *25. Letter from Scott Weber - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *26. Letter from Gregg & Cindy Netz - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *27. Letter from Kevin P. Dugan, Hearings Officer, Communication Division, State of Nebraska, Department of Roads - RE: Project No. S-77-2(1021) - Also Known As: K & L Interchange - Control No. 11395 – RE: Official notice - an upcoming public meeting . (See Material)
- *28. Faxed Letter from H. Arnold Wassenberg - RE: Writing to express my views on the proposed budget and tax increases. (See Letter)
- *29. E-Mail from Andrea Watkins - RE: Upper Salt Creek Watershed Plan. (See E-Mail)
- *30. E-Mail from Ron & Marge Shepard; Pat & Ellen Nisely; and Dan & Julie Sheridan - RE: In Support of the Special Permit #2028 for Jax. (See E-Mail)
- *31. E-Mail from Rodney M. Heim - RE: Opposed - Wheel Tax. (See E-Mail)
- *32. Letter from Daren Reynolds - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *33. Letter from Jan Seltsmann, Physician Assistant Program, Union College - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *34. Letter from Frances & Arthur Bates - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *35. Letter from Barry & Lisa Forbes - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *36. Letter from Polly McMullen, President, DLA - RE: DLA requests that you reinstate \$25,000 for a downtown shuttle study which was apparently deleted from the Mayor's Proposed 2003-2004 Budget during a July 28th City Council budget work session. (See Letter)

- *37. Letter from Senator Thomas Baker, Chairman, Transportation and Telecommunications Committee, Nebraska State Legislature - RE: The Transportation and Telecommunications Committee of the Nebraska Legislature is adamantly Opposed to an additional five cents per gallon occupation tax on fuel. (See Letter)
- *38. Letter from Kirk L. Brown - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *39. Letter from Rose Shultz, Administrative Assistant, Union College - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *40. Letter from David Smith, President, Union College - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *41. Letter from Jon & LeAnn Merth, House parents, Rees Hall, Union College - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *42. Letters from Barb Frank and Deb Seaman and Petition with 98 Signatures - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Material)
- *43. Letter from William & Eloise Kloefkorn - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *44. Letter with 3 signatures - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *45. Letter from Richard & Rachael Hamilton - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *46. E-Mail from Dan Sloan, The Mill - RE: In Support of Permit #2028 for Jax at 48th & Van Dorn. (See E-Mail)
- *47. E-Mail from Joan Mallatt - RE: Opposed to the Rezoning request of Permit #2028 for Jax at 48th & Van Dorn. (See E-Mail)
- *48. E-Mail from Jerry Bryant - RE: The City Council Public Hearing - August 4th - The occupation gas tax and related subjects. (See E-Mail)

- *49. Letter from Duane & Kathy Armstrong - RE: The City Council Meeting on August 4th - There were several things mentioned or discussed at the meeting on which we would like to comment. (See Letter)
- *50. Letter from Judith K. Strickler - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- *51. E-Mail from Moses Gaskins - RE: The 5 cents per gallon occupation tax on fuel. (See E-Mail)
- *52. E-Mail from Doug Durham - RE: Feedback on the Proposed Tax Hikes for Infrastructure Development. (See E-Mail)
- *53. E-Mail from Jim Heller, Executive Director, Nebraska United Methodist Foundation - RE: Proposed 5 cent gasoline tax increase. (See E-Mail)
- *54. Letter - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn - (See Letter)
- 55. 3 E-Mail's & Letters from Jennifer Robison; Ray & Leslie Donley; Cyndi Maw; - RE: Special Permit #2028-rezoning request for Jax at 48th & Van Dorn – 2 in Support and 1 Opposed – (Council & City Clerk received these E-Mail's & Letters on 8/11/03)(Copy of these E-Mail's & Letters are on file in the City Council Office)
- 56. Letter from Richard L. Schmeling, President, ProRail Nebraska, Inc. - RE: Supports the two proposals of Terry Werner to dedicate 1 cent of the proposed City gasoline tax toward Omaha-Lincoln Commuter Rail and another cent toward improving public transportation within Lincoln in accordance with recommendations from the Multi-Modal Transportation Study being performed by the City of Lincoln - (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office)
- 56. Letter from Eric B. Carstenson, CAE, President, Nebraska Telecommunications Association - RE: Increasing the fee charged for 911 services. (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office)
- 57. E-Mail from T. Troy Stentz - RE: Comprehensive Plan. (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office)

58. E-Mail from Edward Schnabel - RE: The evening Council Meeting on 8/11/03 - he is watching the meeting at this time (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office)
59. Letter from Jim Strand - RE: The Infrastructure Finance Committee's Report. (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office)
60. 3 E-Mail's from Sharon Taylor; Heidi L. Gouthro; Edith Meints; - RE: Proposed Tax increases. (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office)
61. Letter from Senator David M. Landis - RE: His Support for Lincoln's proposal to adopt a local occupation tax on fuel – (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office)
62. Letter from Chris Brown - RE: Opposed to the M.I.F.C. Tax & Rate increases. (See Letter)
63. Letter from Garrold W. Timmons & Mardel L. Timmons - RE: Opposed to the Tax increases. (See Letter)
64. E-Mail from Deb Myers - RE: Opposed to the additional taxes that are currently under consideration. (See E-Mail)
65. E-Mail from Nancy Black - RE: Special Permit #2028 - In Support of Jax at 48th & Van Dorn. (See E-Mail)
66. E-Mail from Harlow Dover - RE: New Proposals. (See E-Mail)
67. E-Mail from Moses Gaskins - RE: Unscientific survey - towards the proposed tax on fuel. (See E-Mail)
68. Letter from Richard Esquivel - RE: Infrastructure funding. (See Letter)
69. Letter from John E. Cederberg, Cederberg & Associates, Business and Tax Consulting - RE: The Infrastructure Finance. (See Letter)
70. Letter from Stephen D. Mossman, Law Offices, Mattson, Ricketts, Davies, Stewart & Calkins - RE: Silverhawk Aviation, Inc. - the occupation tax of 5 cent per gallon on retailers of motor vehicle fuel. (See Letter)

71. E-Mail from Cecelia Dorn - RE: Tax increases - thinks a tax on food should be given more consideration. (See E-Mail)
72. Report & Tape from Mark Whitehead, President, Whitehead Oil Company - RE: Arthur Andersen - Illinois Motor Fuel Taxation Study - March 1998 & Arthur Andersen Video. (This Material is on file in the City Council Office for Council Members to take a look at it)
73. E-Mail from Samuel Wineberg - RE: Tax Problem. (See E-Mail)
74. E-Mail from Mary Secor - RE: Gas Tax. (See E-Mail)
75. Letter from Jon Carlson - RE: Opposed to the proposed infrastructure tax and fee increase package. (See Letter)
76. Letter & Material from Mikael Nifelhelm - RE: Poorly planned traffic flows, motorist behavior and the lack of safety thinking when designing roads. (See Material)
77. E-Mail from Ron Kalkwarf - RE: City Budget. (See E-Mail)
78. Letter from Topher Hansen - RE: Urging your veto of Special Permit No. 2028 - Jax Liquor. (See Letter)
79. NEWS RELEASE from Health Partners Initiative - RE: (AED) Automatic External Defibrillator Community Consortium. (See Release)
80. E-Mail from Alan Worster - RE: The Tax increases. (See E-Mail)

IV. DIRECTORS

V. CITY COUNCIL MEMBERS

VI. ADJOURNMENT

***HELD OVER FROM AUGUST 11, 2003.**

**DIRECTOR'S MEETING
MINUTES
MONDAY, AUGUST 18, 2003
CONFERENCE ROOM 113**

Council Members Present: Jon Camp, Chair; Terry Werner, Vice-Chair; Jonathan Cook, Annette McRoy, Ken Svoboda, Patte Newman, Glenn Friendt.

Others Present: Mayor Coleen Seng, Ann Harrell, Corrie Kielty, Lin Quenzer, Darl Naumann, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Darrell Podany, Aide to Council Members Camp, Friendt, & Svoboda; Tammy Grammer, City Council Staff; Julie Haith, City Council Intern and Nate Jenkins, Lincoln Journal Star Representative.

I. MAYOR

Mayor Coleen Seng commented to Council that first of all, she wants them to know that she suffered with them all the way to their Budget Meeting and Wednesday morning. She 'thanked' Council for their time.

Mayor Seng said that she hasn't heard how the turn out was at 'Ribfest'. It was awful hot, so she suspects may be the numbers were down a little bit. Don Herz indicated that he talked to Police Chief Casady yesterday afternoon, it was very warm throughout, so he thinks the numbers will be down some several thousand. But, considering the hot, he thinks that it was still probably well attended. Mr. Herz stated they will have a report for Council in the next few days.

There was a special effort with the Special Olympic's Program. This was the first time it had been held at Lincoln with a banquet effort in the past it has always been some place else. So this was really special and it to was taking place this weekend in the hot.

The libraries, the schools and the Children's Museum had gathered together every night last week for a special Kindergarten kick-off. This has been kind of in the dream for a long time and they finally got it carried out and when you pull in 400 people and then 700 people night-after-night this is a very special effort. People were introduced into a Library System and to the Children's Museum and they were beginning to get acquainted with their teachers, so this was a very special event they took part in.

Mayor Seng stated this morning, she talked to Terry Bundy to see if he had anything else to say about the blackout that had been occurring on the East Coast. He had called last week to tell her right before they knew it was going to happen, he could see those coming and she did announce that at the Neighborhood Roundtable Meeting. She understands from him that something like this happened in the Minneapolis area, it looks like they could have been involved too, but they have some protection for this. But, it's really scary when you stop and think of everything that shuts down, they're so depended on electricity.

Mayor Seng announced that Georgia Glass will be leaving City employment. She's known about this for quite some time, but she was staying until she got through all of the negotiations and got the contracts signed. Georgia [Glass] will be working in Lincoln. This is an opportunity that she felt that she couldn't turn down and this is something that could have happened earlier and she's been holding off. Mayor Seng commented Georgia has been very gracious about staying as long as she can and she will continue to help them when they need help. So, she wanted them to know this was planned and they will announce it today. Mayor Seng indicated Georgia is spending time on her new job today, but this is not her last day, she'll be back over here.

Mayor Seng indicated for quite some time, Don Herz, has been trying to figure out how to recognize Council in regards to their bonding and she'll let him talk about it. Don Herz stated to Council as they know their General Obligation Bonds is on June 24th and for the first time they'll see the triple 'A' rating. Another thing of significant is that they were within probably a week to this transaction of hitting the lowest points in the bond market. They had a combined average debts service on this transaction of 3.41% and it saved the City hundreds and thousands of dollars, taxpayers actually. So, he thought it would be nice to commemorate that and they thought of a plaque. Mr. Herz indicated when they issued it, there's something called a final offering statement the first page shows the interest rates and the bond readings and the second page has the City Officials, who the Council members were and any Directors. He thinks the last time they did that was 15 years ago or so and they thought because of the significant of it they present to them a plaque and a 'thank you' for their help. [Mr. Herz presented a plaque to each of the Council members.] Council 'thanked' Don Herz.

Mayor Seng noted that Diane Gonzolas would like to tell them about something that's on the schedule for September 11th. Diane Gonzolas stated they're planning a Patriot Day 911 anniversary event on September 11th [Thursday] starting at 11:30 a.m and the program will be from Noon to 12:30 p.m. They've just started planning it, they're working with the Mayor's Advisory Council for the Veteran's Memorial Gardens, so it will be in Antelope Park. They all will be getting invitations with more details as they become available, but they might want to put it on their calendar for now. Ms. Gonzolas indicated the State don't have anything formal, so they're hoping the Governor will attend their event like he did last year.

Mayor Seng noted another group is doing a rather large event for that evening and she hopes Police and Fire will be recognized. She believes it will be out at St. Mark's United Methodist Church, they're in the planning stages.

With regard to Bethany Garden, they're working very hard to put in a new gate or a new entrance into that area and that's all volunteer labor.

- *1. NEWS RELEASE - RE: Sunken Gardens Campaign Reaches \$1 Million Mark.
— NO COMMENTS
- *2. NEWS RELEASE - RE: Mayor Promotes Breast-Feeding Initiatives. —
NO COMMENTS

II. CITY CLERK

City Clerk Joan Ross stated the following: Items 2 & 3, she would like to call together. [*Application of Salem FB, LLC dba Fast Break #2 for a Class B Liquor License at 2200 North 48th Street; and Manager application of Peggy C. Roeder for Salem FB, LLC dba Fast Break #2 at 2200 North 48th Street*]

Items 12 & 13, she was wondering what their thoughts were if it would be acceptable to call these items together or would they prefer separate votes. Mr. Camp asked Bruce Dart if he had any thoughts on it, since it deals with the Health Department. Mr. Dart stated that he would prefer they're called together, they've worked this out with the school districts, there's not any issues, they accept it and they don't see any problems at all. Mr. Camp indicated to City Clerk Joan Ross call them together. [*Approving an Interlocal Agreement between the City and Waverly Public Schools to allow the Health Department staff to provide nursing consultation services during the 2003-2004 school year; and Approving an Interlocal Agreement between the City and Malcolm Public Schools to allow the Health Department staff to provide nursing consultation services during the 2003-2004 school year*].

In regards to the Pending List, they got a memo from the Planning Department for Items 42 & 43. Item 43, there is a request by the applicant to withdraw this item and she'll bring that up during the voting session and Item 42 the Planning Department is recommending to leave it on Pending. Marvin Krout noted on Item 42 they suggest that they leave it on Pending because they're still in discussions with the applicant. Item 43 is the Tennis Center, since it was approved as a Recreation use outside the City limits they got what they wanted without amending the Comprehensive Plan. So, they're asking that they withdraw the amendment. [*Comp. Plan Amendment 02001.A - Application of Realty Trust Group to amend the 2025 Lincoln-Lancaster County Comprehensive Plan to change the designation from Agriculture to Urban Residential and Commercial uses, on property generally located at the northeast corner of 84th and Van Dorn Streets; and Comp. Plan Amendment 02001.B - Application of Realty Trust Group to amend the 2025 Lincoln-Lancaster County Comprehensive Plan to change the designation from Agriculture to Urban Residential and Commercial uses, on property generally located at the southeast corner of 84th and South Streets*]

For Item 45 the other items related to this one are moving forward and they'll have the Public Hearing on September 8th. So, she ask that they remove this item for Public Hearing to be held on September 8th. The other items will be on their Agenda for August 25th at 1st listing and then they would come up for Public Hearing on September 8th. Mr. Camp stated to City Clerk Joan Ross okay. *[Approving a waiver of subdivision requirements for the installation of sanitary sewer in 1st Street, water mains in 1st Street, storm sewers in 1st and 2nd Streets, street paving in 1st and 2nd Streets, street trees, and sidewalks along 1st and 2nd Streets, within the People's City Mission Administrative Final Plat generally located at North 2nd and R Streets]*

City Clerk Joan Ross stated that she handed out to Council the 'Miscellaneous Referral Sheet', which is pretty routine.

1. Letter from Andy S. Pollock, Executive Director, Nebraska Public Service Commission brought into Council Office by City Clerk Joan Ross - RE: Docket No. 911-02 In the Matter of the Commission, on its own motion, to determine the surcharge for the Enhanced Wireless 911 Fund. — NO COMMENTS

III. CORRESPONDENCE

A. COUNCIL REQUESTS

ANNETTE McROY

1. **OUTSTANDING Request to Public Works & Utilities Department/ Urban Development Department/ Police (Center Team)/ Health Department/ LES – RE: The alley behind the houses east of 27th Street between Potter & Fair Street is never maintained by the City (RFI#132 - 4/08/03). — 1.) SEE RESPONSE FROM DAVE SPOMER, LES, STREET LIGHTING ENGINEERING RECEIVED ON RFI#132 - 4/14/03 — 2.) SEE RESPONSE FROM W. L. NASS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#132 - 4/15/03 — 3.) SEE RESPONSE FROM DENNIS BARTELS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#132 - 4/16/03 — 4.) SEE RESPONSE FROM CHAR ESTES, LPD-PRT TEAM RECEIVED ON RFI#132 - 4/25/03.** — Ms. McRoy stated to Tammy Grammer this Request For Information (#132) can be taken off of the Agenda. Ms. Grammer stated to Ms. McRoy okay.

JONATHAN COOK

1. OUTSTANDING Request to **Public Works & Utilities Department** - RE: Irvingdale Park - City Storm Sewer Ditch/Canal is not maintained at all (RFI#94 - 7/14/03). — NO COMMENTS
2. OUTSTANDING Request to **Building & Safety Department** - RE: Please check out the house at 1644 Washington - front porch filled with stuff (RFI#95 - 7/14/03). — NO COMMENTS
3. Request to PRT/Ann Harrell, Mayor's Office - RE: Gathering Place (RFI#97 - 7/30/03). — **1.) SEE RESPONSE FROM SW TEAM CAPTAIN WILHELM, LPD RECEIVED ON RFI#97 - 8/05/03.** — NO COMMENTS
4. ~~OUTSTANDING~~ Request to Public Works & Utilities Department - RE: State Department of Roads proposal to close Old Cheney between Warwick & Hwy 77 (RFI#99 - 7/30/03). — **1.) SEE RESPONSE FROM RANDY HOSKINS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#99 - 8/13/03.** — NO COMMENTS
5. OUTSTANDING Request to **Health Department** - RE: A large amount of garbage on the sidewalk near the house on the corner of Smith & Harrison (RFI#100 - 8/01/03). — NO COMMENTS

TERRY WERNER

1. OUTSTANDING Request to **Dana Roper, Law Department** - RE: Automated External Defibrillators (AED) and Liability (RFI#96 - 7/29/03). — NO COMMENTS

PATTE NEWMAN

1. Request to Assessor/Register of Deeds - RE: Sidewalk Permit & Needs to find out who owns the courtyard between 6212 and 6220 Havelock (RFI#13 - 8/04/03). — **1.) SEE RESPONSE FROM HALLIE SALEM, URBAN DEVELOPMENT DEPARTMENT RECEIVED ON RFI#13 - 8/08/03.** — Ms. Newman stated this Request For Information (#13) can be removed from the Agenda. Tammy Grammer stated to Ms. Newman okay.

- *2. Response from Scott Opfer, Public Works & Utilities Department - RE: The half block long median at Larson Blvd. for RFI#10 received on 8/05/03 . — Ms. Newman stated this item can be removed from the Agenda. Tammy Grammer stated to Ms. Newman okay.
- 3. Request to Roger Figard, Allan Abbott, Public Works & Utilities Department/Chuck Zimmerman, Mike Merwick, Building & Safety Department/Kent Morgan, Marvin Krout, Planning Department - RE: Monday's extensive pre-council, public hearing and lengthy negotiations between PW and residents on Pine Lake Road, Old Cheney and 84th Street for acquisition of sufficient ROW to meet new city standards - (RFI#14 - 8/11/03). — NO COMMENTS
- 4. Request to Police Department - RE: To get a list of crash data from the past 5 or 6 years in the City of Lincoln for: (RFI#15 - 8/11/03).— **1.) RESPONSE FROM ED RAGATZ, LPD, RECORDS MANAGER RECEIVED ON RFI#15 - 8/14/03 (RESPONSE ON FILE IN THE CITY COUNCIL OFFICE).** — NO COMMENTS
- 5. Request to Mike Merwick, Building & Safety Department - RE: Another "missing owners" story (RFI#16 - 8/11/03). — NO COMMENTS

KEN SVOBODA

- *1. Memo from Ken Svoboda to Steve Hubka - RE: City Council Discretionary Fund. — Mr. Svoboda stated this item can be removed from the Agenda.
- 2. Letter from Ken Svoboda to Council - RE: The discretionary funds. — Mr. Svoboda stated this item can be removed from the Agenda.

GLENN FRIENDT

- 1. Request to Allan Abbott, Public Works Director/Jerry Obrist, Water Works Engineer - RE: Drinking water quality (RFI#24 - 8/11/03). — NO COMMENTS

B. DIRECTORS AND DEPARTMENT HEADS

FINANCE

- 1. City of Lincoln - EMS Cash Receipts/Expenditure Data - FY 2002-03. — NO COMMENTS

FINANCE DEPARTMENT/CITY TREASURER

- *1. Material from Don Herz, Finance Director & Joel L. Wittrock, Assistant City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased July 28, 2003 thru August 1, 2003. — NO COMMENTS

HEALTH DEPARTMENT

Mr. Camp stated to Bruce Dart how's the West Nile virus spraying going. Mr. Dart stated that it's actually going quite well they've received about 20-25 calls from people who have chose to opt out of the spraying. They've been planning and waiting for the State to tell them where the next mosquitos posit pools are which is another criteria that they'll use to make their decision where to spray next. They had four new probable cases on Friday, so he still thinks what they're doing is the right thing. Ms. McRoy asked Mr. Dart what he meant when he said that people called in and wanted to opt out of it. Mr. Dart replied they gave them the option in the press release to anybody that didn't want to be sprayed to call a number and they wouldn't spray their area. Ms. McRoy commented so if one person decided that their neighborhood won't get sprayed. Mr. Dart indicated that they can adjust it based on the wind and how they go down the streets so they can miss there. They can get as close as they possibly can to the neighbors and miss them, they have that ability with the sensors on the equipment. Mr. Camp asked Mr. Dart if that's creating liability for the City? Mr. Dart stated they looked into that very-very closely, the chemical that they're using has been U.S. EPA registered since 1975, it's been studied for over 30 years. If you use this chemical at a very low concentration like they are, it breaks up very quickly in the environment and the toxicity in human population is none existence or [inaudible] based on the EPA registered information. What they tell people like they did in the press conferences, it's still a chemical, it's still toxic, it's important that they apply it properly and if they follow those directions there should be almost no impact on the environment and almost no impact on the citizens. But, that's why they gave people the option to opt out, if people have asthma or respiratory conditions they didn't want to be in their area, which is why they advertised it like they did. Mr. Cook stated to Bruce Dart that he would like to see some kind of a committee developed next year early in the year that looks at all these issues that involves people. He would like to see that discussion take place and anything that needs to be on their Agenda come earlier on that way at least they can make sure they've talked through all of these things.

- 1. NEWS RELEASE - RE: What's In Your Garage? Household Hazardous Waste Collections Scheduled For August 15 and 16. — NO COMMENTS

PLANNING DEPARTMENT

- *1. Memo from Marvin Krout - RE: Change of Zone No. 3415 (03-125); Miscellaneous No. 03005 (03-126); Miscellaneous No. 03008 (03-127); Miscellaneous No. 03007 (03R-215). — NO COMMENTS

2. Letter from Stephen Henrichsen to Jerry Boyce - RE: On Site Stormwater Improvement and Impact Fees. — NO COMMENTS

PLANNING COMMISSION FINAL ACTION

1. Special Permit No. 2012 - (Wireless facility - South 77th Street & Highway 2) Resolution No. PC-00822. — NO COMMENTS
2. Special Permit No. 2023 (Soil excavation - So. 134th Street and Pine Lake Road) Resolution No. PC-00823. — NO COMMENTS

PUBLIC WORKS & UTILITIES DEPARTMENT

- *1. Public Works & Utilities ADVISORY - RE: Curb Ramp and Sidewalk Repair Advisory. (See Advisory). — NO COMMENTS
- *2. Public Works & Utilities ADVISORY - RE: Water Main Replacement Project. (See Advisory). — NO COMMENTS
- *3. Memo from Ken Smith - RE: Parking Facilities Operating Hours. — NO COMMENTS
4. Public Works & Utilities ADVISORY - RE: Water Main Replacement - South Street; 48th -56th Street. (See Advisory). — NO COMMENTS

REAL ESTATE DIVISION

- *1. InterOffice Memo from Clinton W. Thomas - RE: Vacation of SW 32nd Street. — NO COMMENTS

WEED CONTROL AUTHORITY

1. Combined Weed Program - City of Lincoln - July 2003 Monthly Report. — NO COMMENTS

C. MISCELLANEOUS

Mr. Camp noted they have lots of correspondences regarding Jax's application and asked Mayor Seng if it has been signed that it passed the Council 4-3. Mayor Seng stated it's not signed, they'll be receiving some information on it, but not today.

- *1. E-Mail from Ross Wunderlich, Wunderlich Consulting - RE: Pioneers Blvd. Design (Council & City Clerk's Office received this E-Mail at the Director's Meeting on 8/04/03)(Copy of this E-Mail is on file in the City Council Office). — NO COMMENTS
- *2. Two E-Mail's from Dean & Jo Ann Auman and David D. Auman - RE: Opposed to the proposed 5 cent a gallon gas tax. (Council & City Clerk's Office received this E-Mail at the Director's Meeting on 8/04/03)(Copy of this E-Mail is on file in the City Council Office). — NO COMMENTS
- *3. E-Mail from Kathryn Wells - RE: SE Upper Salt Creek Watershed Plan-proposed Comp. Plan Amendment - (Council & City Clerk's Office received this E-Mail at the Director's Meeting on 8/04/03)(Copy of this E-Mail is on file in the City Council Office). — NO COMMENTS
- *4. Three E-Mail's from Mason Bowes; Sara Dorn; & Diana Simet - RE: In Support-Special Permit #2028 - Jax at 48th & Van Dorn (Council & City Clerk's Office received this E-Mail at the Director's Meeting on 8/04/03)(Copy of this E-Mail is on file in the City Council Office). — NO COMMENTS
- *5. E-Mail from John Worster - RE: 2003-2004 Budget - (Council & City Clerk's Office received this E-Mail at the Director's Meeting on 8/04/03)(Copy of this E-Mail is on file in the City Council Office). — NO COMMENTS
- *6. E-Mail from Susan Larson Rodenburg, Lincoln Parks & Recreation Foundation - RE: Sunken Gardens Reaches \$1 Million Mark! (This is the same as the News Release under "I. Mayor #1") (See E-Mail). — NO COMMENTS
- *7. E-Mail from Jacklin M. Goldsmith - RE: Jax at 48th & Van Dorn - Special Permit #2028. — NO COMMENTS
- *8. Letter with 26 signatures from Residents of Union Manor Apartments - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *9. Letter from Larry & Cheryl Crawford - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *10. Letter from Esther L. Ostrander - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *11. Letter from Carol Snyder - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS

- *12. Letter from Andy & Jennifer Graham - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *13. Letter from Ramona Maske - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *14. Letter from Neal & Lois Thomas - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *15. E-Mail from Katherine A. Kerner - RE: Proposed City Budget.— NO COMMENTS
- *16. E-Mail - RE: In Support of Jax Shack. — NO COMMENTS
- *17. E-Mail from Sandy Anderson - RE: Upper Salt Creek Watershed Plan. — NO COMMENTS
- *18. Faxed Letter from Richard Safarik - RE: Rezoning for Jax Saloon at shopping center at 48th & Van Dorn. — NO COMMENTS
- *19. E-Mail from Derek Effle - RE: In Support of Jax at 48th & Van Dorn. — NO COMMENTS
- *20. E-Mail from Gil & LuAnne Goldsmith - RE: In Support of Jax - Special Permit No. #2028 at 48th & Van Dorn. — NO COMMENTS
- *21. E-Mail from Tony Dworak - RE: Opposed to the proposed 5 cent/gallon tax on gasoline sold within the city limits. — NO COMMENTS
- *22. Faxed Letter from James A. Thomas - RE: In Support of Jax liquor store at 48th & Van Dorn. — NO COMMENTS
- *23. Faxed Memo from Lori Seibel, Community Health Endowment - RE: Proposed Reductions in the City Budget. — NO COMMENTS
- *24. Letter from Evert & Virginia Olson - RE: Has a concern regarding our emergency services and also fire department responses. — NO COMMENTS
- *25. Letter from Scott Weber - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *26. Letter from Gregg & Cindy Netz - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS

- *27. Letter from Kevin P. Dugan, Hearings Officer, Communication Division, State of Nebraska, Department of Roads - RE: Project No. S-77-2(1021) - Also Known As: K & L Interchange - Control No. 11395 – RE: Official notice - an upcoming public meeting. — NO COMMENTS
- *28. Faxed Letter from H. Arnold Wassenberg - RE: Writing to express my views on the proposed budget and tax increases. — NO COMMENTS
- *29. E-Mail from Andrea Watkins - RE: Upper Salt Creek Watershed Plan. — NO COMMENTS
- *30. E-Mail from Ron & Marge Shepard; Pat & Ellen Nisely; and Dan & Julie Sheridan - RE: In Support of the Special Permit #2028 for Jax. — NO COMMENTS
- *31. E-Mail from Rodney M. Heim - RE: Opposed - Wheel Tax. — NO COMMENTS
- *32. Letter from Daren Reynolds - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *33. Letter from Jan Seltmann, Physician Assistant Program, Union College - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *34. Letter from Frances & Arthur Bates - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *35. Letter from Barry & Lisa Forbes - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *36. Letter from Polly McMullen, President, DLA - RE: DLA requests that you reinstate \$25,000 for a downtown shuttle study which was apparently deleted from the Mayor's Proposed 2003-2004 Budget during a July 28th City Council budget work session. — NO COMMENTS
- *37. Letter from Senator Thomas Baker, Chairman, Transportation and Telecommunications Committee, Nebraska State Legislature - RE: The Transportation and Telecommunications Committee of the Nebraska Legislature is adamantly Opposed to an additional five cents per gallon occupation tax on fuel. — NO COMMENTS
- *38. Letter from Kirk L. Brown - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS

- *39. Letter from Rose Shultz, Administrative Assistant, Union College - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *40. Letter from David Smith, President, Union College - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn.
—
NO COMMENTS
- *41. Letter from Jon & LeAnn Merth, House parents, Rees Hall, Union College - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *42. Letters from Barb Frank and Deb Seaman and Petition with 98 Signatures - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *43. Letter from William & Eloise Kloefkorn - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *44. Letter with 3 signatures - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *45. Letter from Richard & Rachael Hamilton - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- *46. E-Mail from Dan Sloan, The Mill - RE: In Support of Permit #2028 for Jax at 48th & Van Dorn. — NO COMMENTS
- *47. E-Mail from Joan Mallatt - RE: Opposed to the Rezoning request of Permit #2028 for Jax at 48th & Van Dorn. — NO COMMENTS
- *48. E-Mail from Jerry Bryant - RE: The City Council Public Hearing - August 4th - The occupation gas tax and related subjects. — NO COMMENTS
- *49. Letter from Duane & Kathy Armstrong - RE: The City Council Meeting on August 4th - There were several things mentioned or discussed at the meeting on which we would like to comment. — NO COMMENTS
- *50. Letter from Judith K. Strickler - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS

- *51. E-Mail from Moses Gaskins - RE: The 5 cents per gallon occupation tax on fuel. — NO COMMENTS
- *52. E-Mail from Doug Durham - RE: Feedback on the Proposed Tax Hikes for Infrastructure Development. — NO COMMENTS
- *53. E-Mail from Jim Heller, Executive Director, Nebraska United Methodist Foundation - RE: Proposed 5 cent gasoline tax increase. — NO COMMENTS
- *54. Letter - RE: Opposed to the rezoning request of Jax liquor store at the northwest corner of 48th & Van Dorn. — NO COMMENTS
- 55. 3 E-Mail's & Letters from Jennifer Robison; Ray & Leslie Donley; Cyndi Maw; - RE: Special Permit #2028-rezoning request for Jax at 48th & Van Dorn – 2 in Support and 1 Opposed – (Council & City Clerk received these E-Mail's & Letters on 8/11/03)(Copy of these E-Mail's & Letters are on file in the City Council Office). — NO COMMENTS
- 56. Letter from Richard L. Schmeling, President, ProRail Nebraska, Inc. - RE: Supports the two proposals of Terry Werner to dedicate 1 cent of the proposed City gasoline tax toward Omaha-Lincoln Commuter Rail and another cent toward improving public transportation within Lincoln in accordance with recommendations from the Multi-Modal Transportation Study being performed by the City of Lincoln - (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office). — NO COMMENTS
- 56. Letter from Eric B. Carstenson, CAE, President, Nebraska Telecommunications Association - RE: Increasing the fee charged for 911 services. (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office). — NO COMMENTS
- 57. E-Mail from T. Troy Stentz - RE: Comprehensive Plan. (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office). — NO COMMENTS
- 58. E-Mail from Edward Schnabel - RE: The evening Council Meeting on 8/11/03 - he is watching the meeting at this time (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office). — NO COMMENTS
- 59. Letter from Jim Strand - RE: The Infrastructure Finance Committee's Report. (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office). — NO COMMENTS

60. 3 E-Mail's from Sharon Taylor; Heidi L. Gouthro; Edith Meints; - RE: Proposed Tax increases. (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office). — NO COMMENTS
61. Letter from Senator David M. Landis - RE: His Support for Lincoln's proposal to adopt a local occupation tax on fuel – (Council & City Clerk received this letter on 8/11/03)(Copy of this Letter is on file in the City Council Office). — NO COMMENTS
62. Letter from Chris Brown - RE: Opposed to the M.I.F.C. Tax & Rate increases. — NO COMMENTS
63. Letter from Garrold W. Timmons & Mardel L. Timmons - RE: Opposed to the Tax increases. — NO COMMENTS
64. E-Mail from Deb Myers - RE: Opposed to the additional taxes that are currently under consideration. — NO COMMENTS
65. E-Mail from Nancy Black - RE: Special Permit #2028 - In Support of Jax at 48th & Van Dorn. — NO COMMENTS
66. E-Mail from Harlow Dover - RE: New Proposals. — NO COMMENTS
67. E-Mail from Moses Gaskins - RE: Unscientific survey - towards the proposed tax on fuel. — NO COMMENTS
68. Letter from Richard Esquivel - RE: Infrastructure funding. — NO COMMENTS
69. Letter from John E. Cederberg, Cederberg & Associates, Business and Tax Consulting - RE: The Infrastructure Finance. — NO COMMENTS
70. Letter from Stephen D. Mossman, Law Offices, Mattson, Ricketts, Davies, Stewart & Calkins - RE: Silverhawk Aviation, Inc. - the occupation tax of 5 cent per gallon on retailers of motor vehicle fuel. — NO COMMENTS
71. E-Mail from Cecelia Dorn - RE: Tax increases - thinks a tax on food should be given more consideration. — NO COMMENTS
72. Report & Tape from Mark Whitehead, President, Whitehead Oil Company - RE: Arthur Andersen - Illinois Motor Fuel Taxation Study - March 1998 & Arthur Andersen Video. (This Material is on file in the City Council Office for Council Members to take a look at it). — NO COMMENTS
73. E-Mail from Samuel Wineberg - RE: Tax Problem. — NO COMMENTS

- 74. E-Mail from Mary Secor - RE: Gas Tax. — NO COMMENTS
- 75. Letter from Jon Carlson - RE: Opposed to the proposed infrastructure tax and fee increase package. — NO COMMENTS
- 76. Letter & Material from Mikael Nifelhelm - RE: Poorly planned traffic flows, motorist behavior and the lack of safety thinking when designing roads. — NO COMMENTS
- 77. E-Mail from Ron Kalkwarf - RE: City Budget. — NO COMMENTS
- 78. Letter from Topher Hansen - RE: Urging your veto of Special Permit No. 2028 - Jax Liquor. — NO COMMENTS
- 79. NEWS RELEASE from Health Partners Initiative - RE: (AED) Automatic External Defibrillator Community Consortium. — NO COMMENTS
- 80. E-Mail from Alan Worster - RE: The Tax increases. — NO COMMENTS

IV. DIRECTORS

PARKS & RECREATION DEPARTMENT - [Lynn Johnson handed out a memo to Council - RE: Proposed Transfer of Funds Within CIP] Lynn Johnson stated to Council that he has a memo with some additional information about the proposed transfer of funds within the CIP. They have a proposed transfer of \$140,000 within the CIP and this memo explains that transfer and went over the memo with Council. [Copy of this memo on file in the City Council Office.]

PLANNING DEPARTMENT - Marvin Krout stated to Council in regards to Item 6, they've made some progress, but it's low progress within the property owners and the agencies out there. But, it's enough that Peter Katt has told them verbally that they need an extension until September 8th will be acceptable, he didn't intend to come this afternoon to ask for that, but they can transmit that information. Mr. Camp commented to Mr. Krout so they should have a motion to delay for 3 weeks and asked if it would be with Public Hearing. Mr. Krout replied that's correct and leave the public hearing open. Item 6, will have Action delayed & continued Public Hearing for 3 weeks to September 8, 2003. *[Comp. Plan Amendment 03016 - Application of the Planning Director on behalf of Dwaine Rogge to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to change a portion of property designated "Environmental Resources" to "Industrial" between Salt Creek and Arbor Road, west of North 70th Street]*

In regards to Item 9, there's a question as to whether or not the private roadway, which supposedly has public access to it is available through one subdivision to serve another subdivision. Mr. Krout stated the Planning Commission assumed it was and they did too, it was approved on that basis. Mr. Krout indicated that Peter Katt is representing the existing homeowners through which this traffic would go, it's a condominium region, so it wasn't subdivided and doesn't have the exact same language as their typical private roadway that does allow public access. Mr. Krout commented that Dana Roper may have some more information on it. Mr. Krout said there's a chance that Mr. Katt may just also ask for a deferral on this case, so this legal question could be sorted out. Dana Roper stated this was an Administrative Plat, so the language wasn't reviewed and it appears there's only an easement for the sewer line and nothing more, it extends a drive-way. He thinks the people with the easement had made an offer to the adjoining property owners, but it wasn't one that they liked and he thinks they've suggested that they go back and try it again or he guess that they can end up in litigation to find out what this really means. So, he thinks this is one that really the two adjoining property owners need to work out. Mr. Camp stated to Marvin Krout so is he suggesting that this be continued or should they go through with the vote today. Mr. Krout indicated to Mr. Camp that it's not suggesting to them there's a clear access through one subdivision to other that they should put it on Pending and Mr. Roper agreed with him. Mr. Roper indicated that he thinks J.D. Burt may be here to make that request. *[Special Permit 421D - App. of Frank and Joan Rall to amend the Carriage Hill 4th Community Unit Plan to retain the existing single family dwelling and to allow the construction of four two-family structures, with requests to waive sidewalk, street tree and landscape screening design standards, on property generally located at 81st and A Streets]*

Marvin Krout commented in speaking of J.D. Burt-Item 10 is also his item, which is a request to reduce the setback for Hollywood Video on "O" Street near 70th Street for the City's right-of-way acquisition. Mr. Krout stated originally the staff was recommending denial and the Planning staff is recommending approval along with Law, but there was a question in J.D. Burt's language to what should be the appropriate amount to the landscape bond. They've had some recalculation of that bond over the past week and they've sent J.D. a new number and he thinks they've relieved his concern on it. But, he's not sure, they haven't heard back from him and they did have to do the recalculation with reducing amount of bond, so they may hear from him about it. *[Combined Pre-Existing Use Permit/Special Permit 10A - App. of Flowerview Associates to reduce setbacks due to the right-of-way acquisition along O Street and N. 66th Street]*

Marvin Krout stated regarding Item 23, he wanted to remind them the Planning Commission recommended approval with two exceptions. They do not recommend a fee for appealing items, so they did not recommend a fee for filing an amendment to the Comprehensive Plan. Mr. Krout commented to Council that it wouldn't break his heart if they didn't pass these two fees. The Neighborhood Roundtable also met and discussed this Thursday evening and they didn't get any feedback as to what they recommended. Mr. Cook stated that he thinks they should charge a fee for amendments to Comp. Plan

the appeals. However, he agrees with the Planning Commission that if you want to appeal, it's appropriate to be able to do it without paying extra. Mr. Cook indicated that he had some amendments that he talked to Rick Peo about and asked Mr. Krout if he has talked to him about it. Mr. Krout replied 'no'. Mr. Cook indicated that he talked to Mr. Peo on Friday and he said that he would be in touch with him and he already prepared some amendments regarding Items 23, 31 & 32 to clarify the appeal process to make it so that a Council member can appeal. Mr. Krout stated that he'll talk to Mr. Peo about it. *[Authorizing the Planning Department to collect a fee for amendment requests to the City/County Comprehensive Plan]*

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CITY ATTORNEY'S OFFICE - Dana Roper stated to Council in regards to Item 10 the Flowerview this is also involved in the condonation case and if this item is passed, they would settle the condonation case. They haven't got the papers back from them, so if they don't show up with some papers they may want to talk about this item and ask that they postpone it. But, they're supposed to get them the papers today.

V. CITY COUNCIL MEMBERS

KEN SVOBODA - NO COMMENTS

ANNETTE McROY

Ms. McRoy stated that she would like to speak with Nicole Fleck-Tooze after the Directors' Meeting today.

TERRY WERNER

Mr. Werner stated that Mayor Seng has it been decided yet who will be the interim Director for Personnel. Mayor Seng replied 'no', it hasn't.

Mr. Werner 'thanked' Bruce Dart for sending out on the smoking ordinance and asked how will the community forums be publicized. Bruce Dart said they'll put ads in the newspaper, they have a group the 'Tobacco Free Lincoln' who will pay for some ads and on the radio. They haven't thought about TV yet and they hope to have an announcement on Channel 5. Mr. Dart commented that our Community Partners are actually paying ex-point for it.

Mr. Werner stated that now 90 days have come and gone on South Street, do they have any idea. Allan Abbott stated August 28th or 29th is the date they have been posting and publishing in the newspaper and on the website for completion. Mr. Abbott noted

remember that extended a little bit because of trying to keep it open. Mr. Werner replied 'oh' okay, he was thinking that it was not going to be extended. Mr. Abbott commented 'no', he didn't mean for the water, he meant for the fact that they tried to keep it open and serve traffic.

Mr. Camp stated to Mr. Abbott what about the next increment of South Street between 48th & 56th does that start today. Mr. Abbott stated he thinks so, but he'll have to check on it and let him know this afternoon.

Mr. Werner commented to Larry Williams that he saw in the newspaper that [inaudible] had written a letter about Nate turning all of their Sandra Washington stuff into a learning experience. Mr. Werner asked Mr. Williams if he has visited with him about it. Mr. Williams stated 'yes', he has. He's on [inaudible] Planning Committee/Student Committee and they're looking at possibly doing something in the future with it, but that's still in discussion.

PATTE NEWMAN - NO COMMENTS

JONATHAN COOK - NO COMMENTS

GLENN FRIENDT - NO COMMENTS

JON CAMP

Mr. Camp stated that he would like to speak with Mike Merwick after the Directors' Meeting today.

Mr. Camp adjourned the meeting at this time. - [Approximately at 11:53 a.m.]

ADDENDUM - (For August 18th)

I. MAYOR

1. NEWS RELEASE - RE: Mosquito Spraying To Begin Friday Morning. — Council discussed this issue earlier with Bruce Dart under "Health Department". (See that discussion)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS - NONE

B. DIRECTORS AND DEPARTMENT HEADS

HEALTH DEPARTMENT

1. NEWS RELEASE from Bruce Dart - RE: Physician Advisory - West Nile Virus Update - Mosquito Spraying-Questions and Answers. — Council discussed this issue earlier with Bruce Dart under “Health Department”. (See that discussion)

PLANNING

1. Letter to Property Owners - RE: Notice of Informational Meeting for the Proposed Annexation of the Lincoln Regional Center and several surrounding properties in the Yankee Hill neighborhood area, generally located along South Folsom Street between South Street and West Pioneers Blvd. — NO COMMENTS

C. MISCELLANEOUS

1. Letter from Rachel Lempka - RE: I am 100% AGAINST the MIFC’s proposed tax/rate increases. — NO COMMENTS
2. 8 E-Mail’s from Don & Evelyn Gilson; Jerry Bryant; Dave Hattan; Chuck Hemmer; Stuart Maseman; Kip Magner; Tadd Delozier; Bill Dahlstrom; - RE: The Tax increases. — NO COMMENTS
3. E-Mail from Jerry Wolf - RE: Funding of road construction. — NO COMMENTS
4. E-Mail from Marti Springer - RE: School Resource Officers. — NO COMMENTS
5. 2 E-Mail’s from Jim Johnson; Dennis Wertz; - RE: Infrastructure Finance. — NO COMMENTS
6. E-Mail from Ed Schnabel - RE: Street Construction and Finance Plan. — NO COMMENTS
7. Letter from Richard L. Schmeling, President, ProRail Nebraska, Inc. to Hon. Tom Baker, Chairman, Transportation and Telecommunications Committee - RE: To levy a fuel tax in the form of an occupation tax on motor fuel dealers, that is a policy decision for the Legislature. — NO COMMENTS

8. Letter from Barbara Bauer - RE: Writing this as a follow up to the two proposals, I presented before Council Members at the August 11th hearing - one is the wheel tax. — NO COMMENTS
9. E-Mail from Deanna Larson - RE: SE Upper Salt Creek Watershed Plan - proposed Comp. Plan Amendment. — NO COMMENTS

VI. MEETING ADJOURNED - Approximately at 11:53 a.m.

***HELD OVER FROM AUGUST 11, 2003.**

dm081803/tjg